

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 89 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 health and to make an appropriation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 12-7-2-23.4 IS ADDED TO THE INDIANA
- 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2009]: **Sec. 23.4. "Breast cancer diagnostic**
- 9 **service", for purposes of IC 12-16-18, has the meaning set forth in**
- 10 **IC 12-16-18-1.**
- 11 SECTION 2. IC 12-7-2-23.6 IS ADDED TO THE INDIANA CODE
- 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 13 1, 2009]: **Sec. 23.6. "Breast cancer screening mammography", for**
- 14 **purposes of IC 12-16-18, has the meaning set forth in**
- 15 **IC 12-16-18-2.**
- 16 SECTION 3. IC 12-15-44.2-17, AS ADDED BY P.L.3-2008,
- 17 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2009]: Sec. 17. (a) The Indiana check-up plan trust fund is
- 19 established for the following purposes:
- 20 (1) Administering a plan created by the general assembly to
- 21 provide health insurance coverage for low income residents of
- 22 Indiana under this chapter.
- 23 (2) Providing copayments, preventative care services, and
- 24 premiums for individuals enrolled in the plan.

(3) Funding tobacco use prevention and cessation programs, childhood immunization programs, and other health care initiatives designed to promote the general health and well being of Indiana residents.

(4) Providing payment for health care providers who provide screening service for breast and cervical cancer to uninsured women under IC 12-16-18.

The fund is separate from the state general fund.

(b) The fund shall be administered by the office of the secretary of family and social services.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The fund shall consist of the following:

(1) Cigarette tax revenues designated by the general assembly to be part of the fund.

(2) Other funds designated by the general assembly to be part of the fund.

(3) Federal funds available for the purposes of the fund.

(4) Gifts or donations to the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(f) Money must be appropriated before funds are available for use.

(g) Money in the fund does not revert to the state general fund at the end of any fiscal year.

(h) The fund is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be transferred, assigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency.

SECTION 4. IC 12-16-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 18. Breast and Cervical Cancer Screening Services Program

Sec. 1. As used in this chapter, "breast cancer diagnostic service" means a procedure intended to aid in the diagnosis of breast cancer. The term includes procedures performed on an inpatient basis and procedures performed on an outpatient basis, including the following:

(1) Breast cancer screening mammography.

(2) Surgical breast biopsy.

(3) Pathologic examination and interpretation.

Sec. 2. As used in this chapter, "breast cancer screening mammography" means a standard, two (2) view per breast, low dose radiographic examination of the breasts that is:

(1) furnished to an asymptomatic woman; and

(2) performed by a mammography services provider using equipment designed by the manufacturer for and dedicated specifically to mammography in order to detect unsuspected breast cancer.

The term includes the interpretation of the results of a breast cancer screening mammography by a physician.

Sec. 3. (a) The breast and cervical cancer screening services program is established.

(b) The office of the secretary shall administer the program.

Sec. 4. A woman who:

(1) is at least thirty-five (35) years of age; and

(2) does not have a public or private third party payment source;

is eligible to participate in the program.

Sec. 5. (a) An individual or facility health care provider that is either:

(1) a mammography services provider that:

(A) has been accredited by the American College of Radiology;

(B) meets equivalent guidelines established by the state department of health; or

(C) is certified by the federal Department of Health and Human Services for participation in the Medicare program (42 U.S.C. 1395 et seq.); or

(2) a provider of screening tests to detect cervical cancer;

is qualified to receive reimbursement for breast cancer diagnostic services, breast cancer screening mammographies, and cervical cancer screening services provided to an individual described in section 4 of this chapter.

(b) The office shall reimburse a provider described in subsection (a) at the federal Medicare reimbursement rate from the Indiana check-up plan trust fund.

Sec. 6. The office of the secretary may adopt rules under IC 4-22-2 necessary to administer this chapter."

Page 1, after line 11, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JULY 1, 2009] (a) As used in this SECTION, "fund" refers to the Indiana check-up plan trust fund.

(b) There is appropriated to the fund an amount sufficient for the office of the secretary of family and social services to reimburse health care providers who provide screening service for breast and cervical cancer to uninsured women under IC 12-16-18, as added by this act, from the cigarette tax revenues designated by the general assembly to be part of the fund for the state fiscal year beginning July 1, 2009, and ending June 30, 2010.

(c) There is appropriated to the fund an amount sufficient for the office of the secretary of family and social services to reimburse health care providers who provide screening service for breast and

1 **cervical cancer to uninsured women under IC 12-16-18, as added**
2 **by this act, from the cigarette tax revenues designated by the**
3 **general assembly to be part of the fund for the state fiscal year**
4 **beginning July 1, 2010, and ending June 30, 2011.**

5 **(d) This SECTION expires December 31, 2011."**

6 Renumber all SECTIONS consecutively.

(Reference is to ESB 89 as printed April 10, 2009.)

Representative Fry